

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. OCT 20 1994  
Returned to applicant for correction. DEC 28 1994  
Corrected application filed. \_\_\_\_\_ Map filed 21 May 90 Proposed under 54855. Existing under 54726 filed 19 Jun 90

The applicant Demar Dahl Company L.L.C.  
P.O. Box 67 of Deeth  
Street and No. or P.O. Box No. City or Town  
Nevada, 89823 hereby make application for permission to change the  
State and Zip Code No.  
place of use and point of Diversion of a portion  
Point of diversion, manner of use, and/or place of use  
of water heretofore appropriated under Permit no. 54726  
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and  
Identify right in Decree.

- The source of water is An Underground Source  
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 21 241 Ac. ft.  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Quasi-municipal and Domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for unchanged  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point. SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 35, T. 19N, R. 28E, M.D.B. & M.  
Describe as being within a 40-acre subdivision of public survey and by course and  
from a point that bears S 82°50' 03"E, a distance of 2276.16 feet to the  
distance to a section corner. If on unsurveyed land, it should be stated.  
C $\frac{1}{4}$  corner of said Sec. 35.
- The existing permitted point of diversion is located within the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 26, T. 19N, R. 28E  
If point of diversion is not changed, do not answer.  
M.D.B. & M., from a point that bears S 55°57' 48"W a distance of 1776.52 feet  
to the SW corner of said section 26.
- Proposed place of use a portion of the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 35, T. 19N, R. 28E  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
M.D.B. & M.
- Existing place of use A portion of the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , NW $\frac{1}{4}$  SE $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 26,  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
T. 19N, R. 28E M.D.B. & M.  
manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day
- Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) well, pump, and distribution system.  
State manner in which water is to be diverted, i.e. diversion structure,  
ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works \$20,000.00
- Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

The total combined duty of this Application and the accompanying application shall not exceed 6.92 million gallons annually (21.241 Ac.ft.). The above 6.92 million gallons annually shall be combined with the duty of water under Permits 54855 and 54856 for a total of 28.10 million gallons annually.

The existing place of use is shown on the map to accompany permit no. 54726 and the proposed place of use is shown on the map to accompany permit no. 54855.

By s/Barry A. Fitzpatrick  
Barry A. Fitzpatrick S.W.R.S. #817  
137 Keddle Street  
Fallon, Nevada 89406

Compared jk/ gkl cl/jr

Protested \_\_\_\_\_

**APPROVAL**  
OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 54726 is issued subject to the terms and conditions imposed in said Permit 54726 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The total combined duty of water under Permits 54855, 54856, 60591 and 60592 shall not exceed 28.1 million gallons annually.

The total combined duty of water under Permits 60591 and 60592 shall not exceed 6.92 million gallons annually.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.08 cubic feet per second, but not to exceed 6.92 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before November 4, 1996

Proof of completion of work shall be filed before December 4, 1996

Application of water to beneficial use shall be made on or before November 4, 1997

Proof of the application of water to beneficial use shall be filed on or before December 4, 1997

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed MAY 16 1997

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

WITHDRAWN BY APPLICANT AGENT JAN 14 2002

L. J. Ricci, P.E. STATE ENGINEER

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.

State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 9th day of April

A.D. 19 96

R. Michael Turnipseed, P.E.  
State Engineer

(PERMIT TERMS CONTINUED)

Any well drilled under this permit shall be drilled in what has been described in the United States Geological Survey Water Supply Paper 2263 as the intermediate alluvial aquifer. In no instance shall the seal on this well be less than 100 feet below ground level.

